

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
REQUEST FOR FILING APPLICATION UNDER 37 C.F.R. 1.53(b)  
**WITHOUT FILING FEE AND/OR WITHOUT EXECUTED INVENTOR'S DECLARATION**

**Mail Stop Patent Application**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Atty. Dkt. 2694-211

Sir:

Date: July 30, 2003

This is a request for filing a new PATENT APPLICATION under Rule 53(b) entitled:

**PORTABLE DATA TRANSFER AND MASS STORAGE DEVICE FOR REMOVABLE MEMORY MODULES**

without a filing fee and/or without an executed inventor's oath/declaration.

This application is made by the below identified inventor(s). Attached hereto are the following papers:

- ☐ Newly executed Declaration, ☒ Copy of Declaration from prior application, ☒ Abstract  
24 pages of specification and claims (including 18 numbered claims), and  
7 sheets of accompanying drawing/s.

☐ Record the attached assignment and return to the undersigned.

☐ Attached is a Power of Attorney.

☐ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

Application Number	Country	Day/Month/Year Filed
--------------------	---------	----------------------

, respectively, the entire content of which is hereby incorporated by reference in this application..

☐ Certified copy(ies) of foreign application(s) is/are attached.

☐ Certified copy(ies) filed on \_\_\_\_\_ in prior application no. \_\_\_\_\_ filed \_\_\_\_\_

☐ This application claims the benefit of Provisional Application No. \_\_\_\_\_, filed \_\_\_\_\_, the entire content of which is hereby incorporated by reference in this application.

☒ This application is a ☒ continuation/☐ division/☐ continuation-in-part of Application No. 09/149,448, filed September 9, 1998, now pending, the entire content of which is hereby incorporated by reference in this application.

☐ Petition filed in prior application to extend its life to insure co-pendency.

☒ The prior application is assigned to SmartDisk, Naples, FL.

☒ It is hereby requested that the Examiner consider the art cited in the above parent application(s) by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached, but pursuant to Rule 98(d) copies are not required.

☐ Applicant claims "small entity" status. ☐ "Small entity" statement attached.

☐ Please enter the attached and/or below preliminary amendment **prior** to calculation of filing fee:

☐ Also attached: ☐ Information Disclosure Statement; ☐ Non-Publication Request; ☐ Nucleotide and/or Amino Acid Sequence Submission; ☐ Statement deleting Inventor(s) named in prior application; ☐ Other:

1. Inventor: Michael A. BATTAGLIA USA  
(first) MI (last) (citizenship)  
Residence: (city) Naples (state/country) FL  
Mailing Address: 5801 Pelican Bay Boulevard, Suite 104, Naples, FL  
(Zip Code) 34104

2. Inventor: Offie L. DRENNAN USA  
(first) MI (last) (citizenship)  
Residence: (city) Naples (state/country) FL  
Mailing Address: 5801 Pelican Bay Boulevard, Suite 104, Naples, FL  
(Zip Code) 34104

☐ See attached sheet(s) for additional inventor(s) information!!

Address all future communications to NIXON & VANDERHYE P.C., 1100 North Glebe Road, 8<sup>th</sup> Floor, Arlington, VA 22201.

Correspondence Address:

NIXON & VANDERHYE P.C.

**Customer Number:**

**23117**

By Atty: Mark E. Nusbaum, Reg. No. 32,348

Telephone: (703) 816-4000

Facsimile: (703) 816-4100

MEN:mg

Signature:

*Mark E. Nusbaum*

19704 U.S. PTO  
10/629905  
07/30/03